

**United States District Court**

For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 People of the State of California, ex rel., No. C 07-2055 JSW (JL)  
12 Plaintiffs,  
13 v. ORDER  
14 Environmental Protection Agency, et al.,  
15 Defendants.

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17 This Court received the Supplemental Order of Referral from the district court (Hon.  
18 Jeffrey S. White) and hereby implements that referral.

19 It is hereby ordered that:

- 20 1. Defendants shall produce Documents 62, 64, 65, and 67 for in camera  
21 review;
- 22 2. It is unclear to the Court how many documents are currently subject to the  
23 issue of segregability of factual portions of withheld documents. Accordingly,  
24 the Court directs the parties to revisit and re-brief this specific issue, if there  
25 are more documents to which it applies. Plaintiffs shall submit their letter brief  
26 of five pages or less within five days of issuance of this order and Defendants  
27 shall respond with their own letter brief of five pages or less within five days  
28 after that. The matter shall be submitted without a hearing;

3. Draft documents, at pages 415-416, 725, and 1415-1416, shall be produced for in camera review, within ten days of issuance of this order;
4. The parties shall advise the Court within ten days of issuance of this order by joint letter brief whether Plaintiffs' objections to the non-disclosure of some of Kenneth Katz's notes may have been adequately dealt with by the submission of a supplemental declaration by Mr. Katz, or whether further briefing is necessary.

**IT IS SO ORDERED.**

DATED: July 24, 2008

JAMES LARSON  
Chief Magistrate Judge

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